REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of September 23, 2004.

Reconsideration of the Application is requested.

The Office Action

Claims 1 and 3-20 remain in this application. New claim 21 has been added. Claims 3, 9, and 15 are currently amended.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGuire et al. (U.S. Patent No. 4,404,639).

Claims 1 and 3-21 are Distinguished From the Cited Art

The present application teaches a method for ordering parts for a machine being serviced within an e-commerce environment, a method for communicating an order for a replacement part from a product being serviced to a remote location via a network, and also teaches a system for ordering parts for a machine.

McGuire et al. discloses an automotive diagnostic system that involves analyzing vehicles that come into a plurality of different service stations, where each station may follow different procedures. The present application, however, teaches a system that is specifically designed to analyze and diagnose the company's product(s) and then order the part(s) needed to be replaced.

As discussed in the previous Amendment, claim 1 of the present application teaches a method for ordering parts in an e-commerce environment where diagnostic data is transmitted to a host computing device allowing the identification of a part(s) to be replaced within the machine. Included in this identification step is identifying the part to be replaced as either a non-replaceable component in a replaceable sub-assembly or as a replaceable component part. The part identified to be replaced may be a replaceable component within the machine. For example, the part may be a piece that is capable of being removed from the machine and/or replaced as a discrete element, in which case the part identifier represents the component to be replaced. Alternatively, the part may be included as a non-replaceable component within a replaceable sub-assembly, in which case the part cannot be removed and/or replaced within the machine without removing and/or replacing an entire sub-assembly. In this case, the part identifier would represent

the entire sub-assembly including the part to be replaced. Further, McGuire et al. does not teach determining whether the non-replaceable component(s) is part of a replaceable sub-assembly, and, then identifying the part as the sub-assembly, for replacement purposes, as in claim 1. In addition, the present application teaches determining retrofit information for the part(s) to be replaced, since replacing one part in the machine may precipitate changing another part, and any additional parts to be replaced are identified within the retrofit information as a function of the part to be replaced, as is illustrated by currently amended claim 3. Therefore, the present application actually is performing the ordering of the replacement part(s), whereas McGuire et al. does not teach the ordering process, providing the needed information to replace the part(s), and identifying the retrofit information of the replaceable part(s).

Independent claims 9 and 15 of the present application further teach the method of identifying the part(s) to be replaced, including differentiating between a replaceable component and a non-replaceable component within a replaceable sub-assembly, updating the part information with the retrofit information, and ordering the part(s) to be replaced. As noted above, these concepts are not taught or fairly considered by the cited art.

Furthermore, the present application allows a part to be identified by viewing a graphical representation of the machine on a display device, then, via a pointing device, the user can point to an area on the monitor displaying a section of the machine including the part and part identifier (e.g., part number) information. The user can then magnify that portion of the machine and select the part to be replaced. It is submitted the cited references do not provide for this same type of part identification, as illustrated by claims 8, 13, 20, and newly added claim 21.

The Examiner has cited In re Venner, for the position that providing an automatic means to replace a manual activity, which accomplishes the same result, is not an invention, to show that automating certain steps in McGuire et al. would have been obvious to one having ordinary skill in the art. However, Applicants strongly disagree with this. Even if several of the manual steps in McGuire et al. could now be automated, it would still be necessary for some amount of manual entry (col. 3, lines 44-52; col. 4, lines 58-66; col. 10, lines 51-64; col. 11, lines 1-19 and 37-40; col. 12, lines 40-42), so it would have not been obvious to one having ordinary skill in the art to completely automate these steps. Whereas, the present

application teaches a method for ordering parts that reduces the potential of human error in the process (page 2, lines 19-25).

The Applicants point out that the present application and McGuire et al. have important differences, as noted above, and continue to disagree with the Examiner's comments. Therefore, it is respectfully submitted that claims 1, 9, and 15 are distinguished from the cited art. As claims 3-8, 10-14, and 16-21 refer to and further define these now distinguished claims, it is submitted that these claims are also distinguished.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1 and 3-21) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

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Date

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